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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/647,120	02/27/2001	Bjorn Aannestad	32643.0293	4193

20322	7590	06/21/2004	

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EXAMINER
BROSS, EDWARD J

ART UNIT	PAPER NUMBER
2126	

DATE MAILED: 06/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>27 February 2001</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-16</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-16</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-16 are pending in this application.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-3, 5-12 and 14-16 are rejected under 35 U.S.C. 102(e) as being anticipated by

Iyengar et al. (6,038,393).

4.   As to claim 1, Iyengar teaches the invention as claimed including a method for using a

programmable digital computer to create object- oriented applications within a non-object-

oriented software environment implemented on said programmable digital computer, wherein

said non-object-oriented software environment is configured to allow creation of an application

comprising one or more design elements (col. 3, lines 1-21), said method comprising the steps of

:

creating, in accordance with a predetermined set of design standards (UML, col. 3, lines

20-21),

an object within said non-object-oriented software environment ("legacy

systems", col. 3 lines 12-16), wherein:

said object comprises at least one of said design elements (col. 3, lines 17-

18);

said object is characterized by inbound public interfaces, outbound

interfaces, and dependencies implemented using said design

elements (standard characteristics of classes and components as

described by UML, col. 3,lines 18-28);

transferring said object to said application (col. 3, lines 37-44);

determining, for said object, a level of compliance to said predetermined set of design

standards (56, 58 Fig. 3B).

5.   As to claim 2, Iyengar teaches the invention as claimed including predetermined set of

design standards comprises naming standards and architectural standards (UML, col. 3, lines 22-

29).

6.   As to claim 5, Iyengar teaches the invention as claimed including said architectural

standards comprise a graphical representation of said design elements configured in accordance

with an object modeling technique (UML diagrams, col. 3 lines 22-29 and lines 50-56).

7.   As to claim 6, Iyengar teaches the invention substantially as claimed including said

architectural standards specify an order in which said design elements should appear in said

object (UML specifies order in which public/private attributes and methods are to be listed).

8.   As to claim 7, Iyengar teaches the invention substantially as claimed including said

architectural standards specify a set of required design elements for said object (the relationships

between objects, col. 3 lines 54-62).

9.   As to claim 8, Iyengar teaches the invention substantially as claimed including a system

for developing an object-oriented application within a non-object-oriented software environment

provided on a digital computer (col. 3, lines 1-21), said system comprising:

        at least one object repository for storing objects (col. 3, lines 63-67);

        an application builder configured to allow transfer of said objects from said object

repository to said object-oriented application (col. 4, lines 1-9);

        an application analyzer for analyzing said object-oriented application and determining a

level of compliance to a predetermined set of design standards (56, 58 Fig. 3B).

10.   As to claim 9, Iyengar teaches the invention substantially as claimed including at least

one carrier database ("Components" 30 Fig. 1), wherein said application builder is further

configured to allow transfer of said objects from said carrier database to said repository (Fig. 1).

11.   As to claim 10, Iyengar teaches the invention substantially as claimed including a code

fragment library (col. 4, lines 22-28).

12.   As to claim 11, it is rejected for the same reason as claim 2 above.

13.   As to claims 14-16, they are rejected for the same reasons as claims 5-7 respectively.

14.   As to claims 3 and 12, Iyengar teaches the invention substantially as claimed including

said object has an object name associated therewith, and said naming standards specify that said

name of said object comprises an element prefix, an object ID, and an element name (col. 9, lines

25-28 and 50-55).

Claim Rejections - 35 USC § 103

15.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

16.   Claims 4 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iyengar

et al. (6,038,393).

17.   As to claims 4 and 13, Iyengar does not discloses said naming standards specify that said

name of said object further comprises an instance number. However, use of instance numbers in

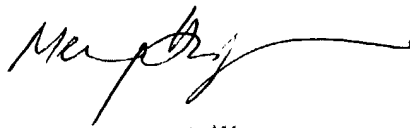specifying objects is well known in the art such as the use of "HANDLES".

18.   It would have been obvious to one of ordinary skill in the art at the time of the invention

to use instance numbers in the name of the objects in order to specify multiple instances of the

same object.

19.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Edward Bross whose telephone number is 703-305-8754. The

examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai An can be reached on 703-305-9678. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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